



cc: 1 Northwest District Office
UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60606

SAM
Paulding Co.
Nuturn Corp

Certified Mail
Return Receipt Requested

US EPA RECORDS CENTER REGION 5



461710

Mr. Ned E. Williams, Director
Ohio Environmental Protection
Agency
P.O. Box 1049
Columbus, Ohio 43216

RECEIVED
JUL 26 1978
AUG - 1 1978
Ohio Environmental Protection Agency
NORTHWEST DISTRICT OFFICE

OFFICE OF THE DIRECTOR
OHIO EPA

78 JUL 31 AM 9 29

RECEIVED

Dear Mr. Williams:

Enclosed is a copy of a Notice of Violation issued this day by the United States Environmental Protection Agency to the Nuturn Corporation located in Paulding, Ohio, for violation of the National Emission Standard for Asbestos.

Specifically, the company is in violation of 40 CFR Sections 61.22(j)(1); 61.22(j)(2); and, 61.22(c)(4).

It is our hope that this Notice will substantially aid efforts to obtain immediate compliance.

Very truly yours,

James O. McDonald, Director
Enforcement Division

Enclosure

Certified Mail
Return Receipt Requested

JUL 26 1978

Mr. William Shunk
Director of Friction Products
Nuturn Corporation
700 West Caroline Street
Paulding, Ohio 45879

RE: Notice of Violation
Nuturn Corporation
Paulding, Ohio

Dear Mr. Shunk:

The enclosed Notice of Violation is issued this date to notify the Nuturn Corporation that the Administrator of the United States Environmental Protection Agency (U.S. EPA) finds your company located in Paulding, Ohio, in violation of Section 112 of the Clean Air Act, as amended, 42 U.S.C. Section 7412, and the National Emission Standard for Asbestos promulgated under Section 112.

The Clean Air Act in Section 113 provides U.S. EPA with several enforcement options to abate these violations. Those options include the issuance of an administrative order, the commencement of civil and/or criminal actions, and assessment and collection of a noncompliance penalty. Section 306 of the Act, as implemented by Executive Order 11738 and 40 CFR 15, provides that facilities in noncompliance with the Act may become ineligible for Federal contracts, grants, or loans.

We are offering you an opportunity for a conference to discuss the violations which are the subject of this Notice. The conference will afford you an opportunity to present information bearing on the finding of violations, on the nature of the violations, on any efforts you have taken to achieve compliance, and on the steps you propose to take. You have the right to be represented by counsel.

-2-

The U.S. EPA attorney in this matter is Mr. Arthur E. Smith, Jr. Please contact Mr. Smith at (312) 353-2082 to request a conference. Such a request should be made as soon as possible but in any event no later than ten (10) days after receipt of this Notice.

Very truly yours,

James O. McDonald, Director
Enforcement Division

Enclosure

cc: ✓ Ned E. Williams, Director
Ohio Environmental Protection
Agency

Joel S. Taylor, Chief
Environmental Law Section
Ohio Attorney General's Office

11

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION V

In the Matter of:

Nuturn Corporation
Paulding, Ohio

Notice of Violation

EPA-5-78-A-99

Proceeding Pursuant to
Section 113 of the Clean
Air Act, as Amended
[42 U.S.C Section 7413]

STATUTORY AUTHORITY

This Notice of Violation is issued pursuant to Section 113 of the Clean Air Act, as amended (42 U.S.C. Section 7413 (Act)).

FINDING OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, finds:

1. 40 CFR Section 61.22(c)(4), dealing with the control of asbestos, establishes a no visible emission standard pertaining to the manufacturing of friction products at the Nuturn Corporation facility located in Paulding, Ohio.

2. 40 CFR Section 61.22(j)(1), establishes a no visible emission standard for disposal of asbestos waste pertaining to the Nuturn Corporation facility located in Paulding, Ohio.

3. 40 CFR Section 61.22(j)(2), establishes standards for the disposal of asbestos waste pertaining to the Nuturn Corporation for its disposal site located in Defiance, Ohio.

4. As indicated more specifically below, the Nuturn Corporation is in violation of 40 CFR Sections 61.22(j)(1); 61.22(j)(2) and 61.22(c)(4).

The violations of 40 CFR Sections 61.22(j)(1); 61.22(j)(2) and 61.22(c)(4) are summarized below:

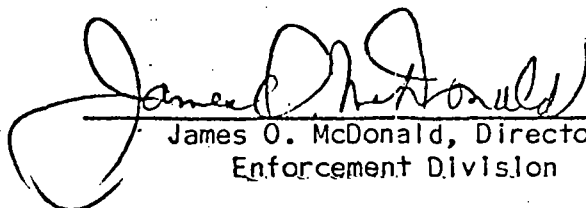
<u>Date</u>	<u>Pollutant</u>	<u>Violation source</u>	<u>Rule Violated</u>
5/1/78	asbestos	Visible powder trail was observed on the roof that extended from a mixer stack	40 CFR Section 61.22(c)(4)
5/1/78	asbestos	Visible emissions were observed emanating from the three (3) Roto-clones.	40 CFR Section 61.22(c)(4)
5/1/78	asbestos	Visible emissions of asbestos observed during the loading of the asbestos waste in the plant trash compactor	40 CFR Section 61.22(j)(1)
5/1/78	asbestos	Landfill site used for disposal of asbestos waste was in violation because no signs, fences or natural barriers were present and the asbestos waste was not covered daily or treated with a dust suppression agent as required by 40 CFR Sections 61.22(j)(2) and 61.25.	40 CFR Section 61.22(j)(2)

NOTICE OF VIOLATION

The Administrator of the U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Ohio and the Nutrun Company, that the company facility described above is in violation of the National Emission Standard for Asbestos as set forth in the Finding of Violation.

JUL 26 1978

Date


James O. McDonald, Director
Enforcement Division

14. Republic Steel Corporation, Industrial Products (Case #421)
This entity requested a Variance for VOC sources (i.e., four metal furniture coating lines). The application was rejected and a Director's Warning Letter issued on 10-20-83.

The Canton LAA informed the EC that compliance has been confirmed by inspection of the sources on 4-17-1984. Two of the lines converted to waterborne coatings and the other two to high solids paints (See the LSC Minutes of 10-27-83).

Case Closed.

C. CASES PENDING:

1. Nuturn Corporation (Case #471)
Asbestos, a NESHAPS-regulated substance, has been found on the site of Nuturn's abandoned manufacturing facilities at 700 W. Caroline Street, Paulding, Ohio. The plant, formerly the Maremont Corporation's Grizzly Division, ceased operations on 2-29-1980. The facility has been abandoned, except for a caretaker, since that date.

Records show that the USEPA issued an NOV on 7-26-1978 to the Nuturn Corporation for violating the National Emission Standard for asbestos, i.e. 40 CFR Sections 61.22(c)(4), (j)(1) and (j)(2). The specific violations included visible emissions from stacks and asbestos waste loading, powder trail on the roof as well as an improperly constructed and operated landfill. By 1-25-79 the entity achieved compliance with the federal requirements through the installation of dust control equipment and by correcting the landfill problems. An inspection by the USEPA on 1-25-79 confirmed compliance.

On May 9, 1980 Larry J. Hatfield, Vice President and General Manager, Brake and Friction Products, Nuturn Corporation informed Ms. Marie Henderson, US Dept. of Labor, OSHA, that the Paulding plant "ceased production operations" on 2-29-1980.

On May 25, 1983 Attorney Stephen Laudig, of Indianapolis, notified the USEPA, Hazardous Waste Cleanup Program (and later Senators Glenn and Metzenbaum) about the asbestos as well as other industrial wastes which were dumped at the "Grizzly factory 700 West Caroline Street" site. Ohio EPA's NWDO (Donald F. North, Air Pollution Control Unit) investigated the matter on 8-16-83 and on 2-15-84. Samples taken at the site indicated asbestos in the waste and fugitive dust emissions through an open door were observed. The NWDO notified Colin Sinclair, President of Nuturn Corporation Nashville, Tennessee, of these findings. Mr. Sinclair promised his cooperation to resolve this matter. Subsequent activities included working with Rita Grisham of Nuturn to develop a plan for covering the sites.

In 1977 the Charles Kauser Excavating firm of Paulding submitted a bid "for burying asbestos hill" with at least 6" of cover. Nuturn hired the firm on 9-12-77 to "Bury Asbestos hill west of Factory".

→ This hill and other areas became exposed, however, through wind and weather erosion. Asbestos was subsequently found at various points on plant property when samples were taken and analysed. The land is presently owned by a group of investors who want to develop the site.

The EC believes that immediate action is necessary and that all suspect areas should be temporarily covered by a 6-inch layer of clean top soil. Furthermore, a study of the entire area must be performed to determine the types of wastes (asbestos, lead, copper, etc.), what quantities were disposed of and in what areas of the plant property. All development must be delayed until the study has been completed and the wastes safely removed for proper disposal. A Director's Warning Letter will be drafted to order the above measures. Additionally, another letter shall be sent to the owners of the land to inform them about the above actions and to request an explanation of their plans for the plant site. The land owners will also receive a copy of the Director's Warning Letter to Nuturn.

Case Continued.

2. Ford Motor Company, Brook Park (Case #439)

This entity operates an arc furnace (No. 2) and a core line (No. 6) in violation of OAC rules 3745-17-07 and -17-11. The problem is to be resolved by September 1984 as specified in a Director's Warning Letter issued on 4-30-1984 (See the enclosures).

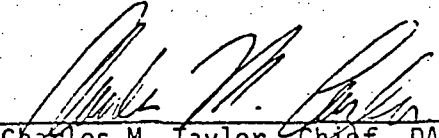
Case Continued.

3. OARDC (Case #350)

This case involves two non-complying coal-fired boilers and the matter has been discussed in previous LSC meetings (See the Minutes of 9-1-83 and earlier). The coal-fired boilers are to be replaced by gas-fired units as soon as the Ohio Legislature has appropriated the necessary funds for OSU. Legal Advisor Stydubar suggested that Deputy Director Aveni be appraised of the situation. The boiler replacement is not likely to occur before the fall of 1985.

Case Continued.

ACTIONS & MINUTES APPROVED BY:

 MAY 7, 1984
Charles M. Taylor, Chief, DAPC

NEXT MEETING:

May 11, 1984
9:00 AM